

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION

19 FEB 21 AM 9:13  
U.S. DISTRICT COURT  
FOR THE NORTHERN DISTRICT  
OF INDIANA

FILED

CONDRA L. SMITH

Case No: 1:18-cv-348-TLS-SLC

V.

U.S. DEPARTMENT OF EDUCATION et al,

ENTRY OF DEFAULT

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Plaintiff Condra L. Smith request the Clerk of Court to enter default against Defendants 1) USA Funds C/O Navient, d.b.a Great lakes d.b.a Ascendium Education Solutions, Inc. 2) Pioneer Recovery for failure to answer or plead in said action as required by law

Date Served for USA Funds C/O Navient, d.b.a Great lakes d.b.a Ascendium Education Solutions, Inc

- January 3<sup>rd</sup>, 2019 at 12:49 pm
- Original due date for answer by law January 23, 2019

Date Served for Pioneer Recovery

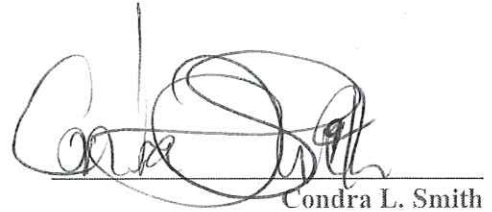
- January 2<sup>nd</sup>, 2019 at 9:11 am
- Original due for answer by law January 21<sup>st</sup> 2019

Defendant counsel did not contact Plaintiffs, Condra L. Smith regarding extension

Defendant counsel requested that court give an extension of time be set for February 20, 2019

With no good faith reason as to why an extension was needed or requested.

Default may be served on the defendant to their counsel at 111 Monument circle, Suite 4600  
Indianapolis, IN 46204

A handwritten signature in black ink, appearing to read 'Condra L. Smith', is written over a horizontal line.

Condra L. Smith  
3301 Lafayette st  
Fort Wayne In, 46806

2/21/2019

Certificate of Service

I hereby certify that a copy of this document was sent to the parties or their counsel by US MAIL to  
defendant's counsel upon:

Bonnie L. Martin  
Justin Allen  
OGLETREE, DEAKINS, NASH, SMOAK & STEWART, PC  
111 Monument Circle  
Suite 4600  
Indianapolis, IN 46204

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION

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CASE NUMBER: 1:18-cv-00348-TLS-SLC

CONDRA L. SMITH  
Plaintiff(s)

vs.

U.S. DEPARTMENT OF EDUCATION et al,

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Defendant(s)

Defendant General Revenue Corporations

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AFFIDAVIT IN SUPPORT OF  
MOTION FOR ENTRY OF DEFAULT JUDGMENT

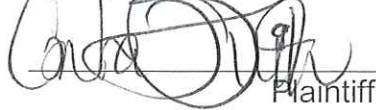
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I, Condra L. Smith being duly sworn, state as follows:

1. I am the plaintiff in the above-entitled action and I am familiar with the file, records and pleadings in this matter.
2. The summons and complaint were served upon the defendants 1) USA Funds C/O Navient, DBA Great Lakes, DBA Ascendium Education Solutions, INC 2) Pioneer Recovery on Defendant 1 on January 3<sup>rd</sup>, 2019, at 12:49 pm, and Defendant 2 on January 2<sup>nd</sup> 2019 at 9:11 am both signed by receptionist
3. An answer to the complaint was due on January 23<sup>rd</sup>, 2019 for Defendant 1 and January 21<sup>st</sup> for Defendant 2 No response was served within the time allowed by law for original date nor no response for additional time request by the defendant  
Defendant counsel did not contact Plaintiffs, Condra L. Smith regarding extension  
Defendant counsel requested that court give an extension of time be set for February 20, 2019  
With no good faith reason as to why an extension was needed or requested.
4. The default of defendants 1) USA Funds C/O Navient, DBA Great Lakes, DBA Ascendium Education Solutions, INC 2) Pioneer was entered on February 21, 2019
5. As required by the Service Members Civil Relief Act of 2003, I have confirmed that the defendant(s) is (are) not currently in active military service
6. To my best information and belief, defendant(s) is (are) not an infant or incompetent person.

7. The claim of the plaintiff(s) is for \$15,350

Plaintiff(s) is (are) therefore entitled to final judgment against the Defendant(s).  
I affirm, under the penalty of perjury, that the foregoing representations are true.

  
\_\_\_\_\_  
Plaintiff

This 21 day of February,  
2019.

Certificate of Service

I hereby certify that a copy of this document was sent to the parties or their counsel by US MAIL

Bonnie L. Martin  
Justin Allen  
OGLETREE, DEAKINS, NASH, SMOAK & STEWART, PC  
111 Monument Circle  
Suite 4600  
Indianapolis, IN 46204

STATE OF INDIANA )  
COURT )

DISTRICT OF INDIANA )  
)

UNITED STATES DISTRICT

FOR THE NORTHERN

FORT WAYNE DIVISION

CASE NUMBER: 1:18-cv-00348-TLS-SLC

CONDRA L. SMITH  
Plaintiff(s)

vs.

U.S. DEPARTMENT OF EDUCATION et al,

---

Defendant(s)

Defendant Defendants 1) USA Funds C/O Navient, d.b.a Great lakes d.b.a Ascendium  
Education Solutions, Inc. 2) Pioneer Recovery

**AFFIDAVIT FOR JUDGMENT BY DEFAULT**

Plaintiff now appears and states that to the best of her knowledge:

1. Service of the Notice of Suit occurred under such circumstances as to establish a reasonable probability that Defendants 1) USA Funds C/O Navient, d.b.a Great lakes d.b.a Ascendium Education Solutions, Inc. 2) Pioneer Recovery received such notice.
2. The Defendant(s) is (are) not in the military service of the United States, is (are) neither incompetent, nor under a legal disability, and has (have) sufficient understanding to realize the nature and effect of the Notice of Suit.
3. The Defendant(s) has (have) not appeared or answered the Notice of Suit herein filed.

Plaintiff(s) is therefore entitled to final judgment against the Defendant(s).

I affirm, under the penalty of perjury, that the foregoing representations are true.

2/21/2019  
Date

CONDRA L. SMITH  
Plaintiff

3301 LAFAYETTE ST  
Street Address of Plaintiff / Attorney for Plaintiff

FORT WAYNE                      46806  
City, State                      Zip Code

260-745-3551  
Telephone Number

---

Condra L. Smith  
3301 Lafayette st  
Fort Wayne In, 46806

2/21/2019

Certificate of Service

I hereby certify that a copy of this document was sent to the parties or their counsel by US MAIL to defendant's counsel upon:

Bonnie L. Martin  
Justin Allen  
OGLETREE, DEAKINS, NASH, SMOAK & STEWART, PC  
111 Monument Circle  
Suite 4600  
Indianapolis, IN 46204



STATE OF INDIANA )  
COURT )  
DISTRICT OF INDIANA )

UNITED STATES DISTRICT  
FOR THE NORTHERN  
FORT WAYNE DIVISION

CASE NUMBER: 1:18-cv-00348-TLS-SLC

CONDRA L. SMITH  
Plaintiff(s)

vs.

U.S. DEPARTMENT OF EDUCATION et al,

Defendant(s)

1) USA Funds C/O Navient, d.b.a Great lakes d.b.a Ascendium Education Solutions, Inc. 2) Pioneer  
Recovery  
Defendant(s)

**ORDER ON AFFIDAVIT FOR JUDGMENT BY DEFAULT**

Plaintiff(s) appear(s) and makes proof of service of Notice of Suit on Defendant(s). Defendant(s) is (are)  
called and defaulted. Cause submitted and evidence heard.

Finding and final judgment for **CONDRA L. SMTIH**  
Name(s) of Prevailing Party(ies)

and against 1) USA Funds C/O Navient, d.b.a Great lakes d.b.a Ascendium  
Education Solutions, Inc.  
2)Pioneer Recovery

jointly and severally, for the following:

Interest Bearing Amounts

A. Principal \$ \_\_\_\_\_  
B. E-Filing Service Fee \$ \_\_\_\_\_  
C. Attorney Fees \$ \_\_\_\_\_  
D. Dismissal/discharge(loan) \$ 9,000

Non-Interest Bearing Amounts

A. Costs Assessed 6,300  
B. Sheriff Service Fees \$  
C. Private Process Fees \$  
D. Certified Mail Fees \$ 50.00

**Judgment** \$ 9,000

**Cost & Fees \$6,350**

**Total Amount Owing** \$ 15,350

(Interest owing at the rate of 5% percent per annum from the date of this order will be applied to the Interest Bearing Amounts)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge / Magistrate, Allen Superior Court

Certificate of Service

I hereby certify that a copy of this document was sent to the parties or their counsel by US MAIL to defendant's counsel upon:

Bonnie L. Martin  
Justin Allen  
OGLETREE, DEAKINS, NASH, SMOAK & STEWART, PC  
111 Monument Circle  
Suite 4600  
Indianapolis, IN 46204



# EXHIBIT A

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Northern District of Indiana

Condra L. Smith

Plaintiff(s)

v.

Civil Action No.

1:18CV348

USA Funds/Navient

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

8998 Cross point Blvd  
Suite 310  
Indianapolis, IN 46256

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Condra L. Smith  
7307 Lafayette St  
St Wayne IN 46066

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

ROBERT TRGOVICH, CLERK OF COURT

Date: 12/28/18

s/ L. Higgins-Conrad

Signature of Clerk or Deputy Clerk

# USPS Tracking® FAQs > (<https://www.usps.com/faqs/uspstracking-faqs.htm>)

## Track Another Package +

**Tracking Number:** 70180680000040079989

Remove X

Your item was delivered to an individual at the address at 12:49 pm on January 3, 2019 in INDIANAPOLIS, IN 46256.

### Delivered

January 3, 2019 at 12:49 pm  
Delivered, Left with Individual  
INDIANAPOLIS, IN 46256

Get Updates ▼

Feedback

---

**Text & Email Updates**



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**Tracking History**



**January 3, 2019, 12:49 pm**  
Delivered, Left with Individual  
INDIANAPOLIS, IN 46256

Your item was delivered to an individual at the address at 12:49 pm on January 3, 2019 in INDIANAPOLIS, IN 46256.

**December 31, 2018**  
In Transit to Next Facility

# EXHIBIT B

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Northern District of Indiana

Contra L. Smith

Plaintiff(s)

v.

Civil Action No.

1:18CV348

Donner Credit Recovery

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

26 Edwards  
Arcade Ny 14009

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Contra L. Smith  
3301 Lafayette St  
Ft Wayne In 46806

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

ROBERT TRGOVICH, CLERK OF COURT

s/ L. Higgins-Conrad

Signature of Clerk or Deputy Clerk

Date: 12/28/18

# USPS Tracking® FAQs > (<https://www.usps.com/faqs/uspstracking-faqs.htm>)

Track Another Package +

Tracking Number: 70180680000040079941

Remove X

Expected Delivery on

**WEDNESDAY**

**2**

JANUARY  
2019 ⓘ

by

**8:00pm** ⓘ

Feedback

 **Delivered**

January 2, 2019 at 9:11 am

Delivered

ARCADE, NY 14009

Get Updates ▼

Text & Email Updates



Tracking History



Product Information



See Less ^



# EXHIBIT C

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION

CONDRA SMITH,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CAUSE NO.: 1:18-CV-348-TLS
	)	
U.S. DEPARTMENT OF EDUCATION,	)	
et al,	)	
	)	
Defendants.	)	

**DEFENDANTS GENERAL REVENUE CORPORATION AND PIONEER CREDIT  
RECOVERY, INC.'S NOTICE OF INITIAL EXTENSION OF TIME**

Pursuant to N.D. Ind. L.R. 6-1(b), Defendants Pioneer Credit Recovery, Inc., and General Revenue Corporation ("Defendants"), by counsel, submit their Notice of Automatic Enlargement of Time within which to answer or otherwise respond to Plaintiff's Complaint for a period of twenty-eight (28) days. Defendants' responsive pleading is currently due on January 23, 2019, and said deadline has not been previously extended.<sup>1</sup> This extension will not interfere with any scheduled hearings or case deadlines. The Defendants' responsive pleading will now be due on or before February 20, 2019. Counsel for the Defendants has not contacted opposing counsel, as Plaintiff is *pro se*, and no such counsel has appeared.

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<sup>1</sup> Defendants note that Pioneer Credit Recovery, Inc. was served on January 2, 2019 and General Revenue Corporation was served on January 3, 2019. In the interests of providing a common response date, Defendants agree to calendar the responsive pleading deadline from the earliest date of service, i.e., January 2, 2019.